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UBER TECHNOLOGIES, INC.
and OTTOMOTTO LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

WAYMO LLC,

Plaintiff,

v.

UBER TECHNOLOGIES, INC.,
OTTOMOTTO LLC; OTTO TRUCKING LLC,

Defendants.

Case No. 3:17-cv-00939-WHA

**DEFENDANTS UBER
TECHNOLOGIES, INC. AND
OTTOMOTTO LLC'S
ADMINISTRATIVE MOTION TO
FILE UNDER SEAL THEIR MOTION
IN LIMINE NO. 27 TO EXCLUDE
DR. HESSELINK'S SAVED
DEVELOPMENT TIME OPINIONS**

Pursuant to Civil Local Rules 7-11 and 79-5, Defendants Uber Technologies, Inc. and Ottomotto LLC (“Defendants”) submit this motion for an order to file under seal their Motion in Limine No. 27 to Exclude Dr. Hesselink’s Saved Development Time Opinions. Specifically, Defendants request an order granting leave to file under seal the confidential portions of the following documents:

Document	Portions to Be Filed Under Seal	Designating Party
Motion in Limine No. 27 (“Motion”)	Highlighted Portions	Plaintiff (green) Defendants (blue)
Exhibit 1	Highlighted Portions	Defendants (blue)
Exhibit 2	Highlighted Portions	Plaintiff (green)
Exhibit 3	Entire Document	Plaintiff Defendants
Exhibit 4	Entire Document	Plaintiff Defendants
Exhibit 5	Entire Document	Plaintiff Defendants

The blue-highlighted portions of the Motion and Exhibit 1 contain launch timeline estimates taken from an internal Uber document. This highly confidential information is not publicly known, and its confidentiality is strictly maintained. Disclosure of this information could allow competitors to obtain a competitive advantage over Uber by giving them details into Uber’s estimates for its launch timeline, such that Uber’s competitive standing could be significantly harmed. (Declaration of Thomas J. Pardini in Support of Defendants’ Administrative Motion to File Documents Under Seal (“Pardini Decl.”) ¶ 3.)

The entireties of Exhibits 3-5 are expert reports containing highly confidential information regarding time and cost projections relating to Uber’s LiDAR systems. This highly confidential information is not publicly known, and its confidentiality is strictly maintained. Disclosure of

1 this information could allow competitors to obtain a competitive advantage over Uber by giving
2 them details into Uber's LiDAR systems development, such that Uber's competitive standing
3 could be significantly harmed. (Pardini Decl. ¶ 4.)

4 The green-highlighted portions of the Motion and Exhibit 2, as well as the entireties of
5 Exhibits 3, 4 and 5, contain information that has been designated "Highly Confidential –
6 Attorneys' Eyes Only" or "Confidential" by Waymo in accordance with the Patent Local Rule
7 2-2 Interim Model Protective Order ("Protective Order"), which the parties have agreed governs
8 this case (Transcript of 3/16/2017 Hearing, page 6). Defendants file this material under seal in
9 accordance with Paragraph 14.4 of the Protective Order. (Pardini Decl. ¶ 5.)

10 Pursuant to Civil Local Rule 79-5(d)(2), Defendants will lodge with the Clerk the
11 documents at issue, with accompanying chamber copies.

12 Defendants served Waymo with this Administrative Motion to File Documents Under
13 Seal on November 13, 2017.

14 For the foregoing reasons, Defendants request that the Court enter the accompanying
15 Proposed Order granting Defendants' Administrative Motion to File Documents Under Seal and
16 designate the service copies of these documents as "HIGHLY CONFIDENTIAL –
17 ATTORNEYS' EYES ONLY" or "CONFIDENTIAL" as described above.

18 Dated: November 13, 2017

MORRISON & FOERSTER LLP

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20 By: /s/ Michael A. Jacobs

MICHAEL A. JACOBS

21 Attorneys for Defendants
22 UBER TECHNOLOGIES, INC. and
23 OTTOMOTTO LLC
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